

3

1 THE SUNTAG LAW FIRM
2 A Professional Corporation
3 DANA A. SUNTAG (California State Bar No. 125127)
4 ZOEY P. MERRILL (California State Bar No. 268331)
5 The Kress Building
6 20 North Sutter Street, Fourth Floor
7 Stockton, California 95202
8 Telephone: (209) 943-2004
9 Facsimile: (209) 943-0905

10 Attorneys for Chapter 7 Trustee
11 GARY R. FARRAR

12 UNITED STATES BANKRUPTCY COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 In Re:
15 DEBRA L. SAFRENO,
16
17 Debtor.

NO: 10-30563-D-7

DC No.: SLF 2

MOTION FOR AUTHORIZATION TO
SELL THE ESTATE'S INTEREST IN A
VEHICLE

Date: August 18, 2010
Time: 10:00 a.m.
Place: Department D
Honorable Robert S. Bardwil

18
19
20
21
22
23
24
25
26
27
28
MOTION FOR AUTHORIZATION
TO SELL THE ESTATE'S
INTEREST IN A VEHICLE

1 Chapter 7 Trustee Gary R. Farrar respectfully moves for authorization to
2 sell the estate's interest in a 2005 Ford Ranger (the "Ford").

3 Under the proposed sale, Debtor Debra L. Safreno (the "Debtor") will buy
4 all of the estate's interest in the Ford for \$3000.

5 The Trustee believes the sale of the estate's interest in the Ford is in the
6 best interests of the creditors and this Court should approve it pursuant to Bankruptcy
7 Code Section 363(b).

8 The Trustee represents the following:

9 1. On April 23, 2010, the Debtor filed this bankruptcy case. Gary R.
10 Farrar was appointed Chapter 7 Trustee. (Farrar Decl. ¶ 2).

11 2. The Debtor disclosed an interest in the Ford in her Schedules. She
12 valued the Ford at \$6230 and claimed \$2725 exempt. (Farrar Decl. ¶ 3).

13 3. The nonexempt equity in the Ford is property of the bankruptcy
14 estate. (Farrar Decl. ¶ 4).

15 4. The Trustee wishes to liquidate the nonexempt equity in the Ford
16 and obtain maximum value for the estate. (Farrar Decl. ¶ 5).

17 5. The Trustee entered into negotiations with the Debtor, through her
18 attorney. (Farrar Decl. ¶ 6).

19 6. As a result of the negotiations, the Trustee has entered into a
20 proposed sale with the Debtor under which the Debtor will purchase the estate's equity
21 in the Ford for \$3000 (the "Purchase Amount") (collectively, the "Sale"). (Farrar
22 Decl. ¶ 7, Ex. A).

23 7. The Sale is conditional on Bankruptcy Court approval of this motion
24 and is subject to overbidding at the hearing on this Motion. (Farrar Decl. ¶ 8).

25 8. Bankruptcy Code Section 363(b) provides that a trustee, after
26 notice and a hearing, may sell property of the bankruptcy estate other than in the
27 ordinary course of business.

1 9. The Trustee believes the Sale is in the best interests of creditors.
2 (Farrar Decl. ¶ 9).

3 WHEREFORE, the Trustee respectfully requests that the Court grant this
4 motion for authorization to sell the estate's interest in the Ford, and that it grant such
5 further and other relief as may be just and proper.

6 Dated: July 6, 2010

THE SUNTAG LAW FIRM
A Professional Corporation

7
8 By: /s/ Dana A. Suntag
DANA A. SUNTAG
9 Attorneys for Chapter 7 Trustee
GARY R. FARRAR
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28